

**FILED**

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

SEP 16 2008

MOLLY C. DWYER, CLERK OF COURT  
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

V.

JOSEPH GOMES,

Defendant - Appellant.

No. 06-10661

D.C. No. CR-03-00179-HG

District of Hawaii, Honolulu

**MANDATE**

The judgment of this Court, entered 8/21/08, takes effect this date.

This constitutes the formal mandate of this Court issued pursuant to Rule 41(a) of the Federal Rules of Appellate Procedure.

FOR THE COURT:

Molly C. Dwyer  
Clerk of Court

By: Gabriela Van Allen  
Deputy Clerk